

Isle of Wight Council

The Town and Country Planning Act 1990 The Town and Country Planning (Development Management Procedure) (England) Order 2010

Planning Permission

Application reference number:

P/00902/12 - TCP/31126

Parish:

Arreton

Applicant:

Aggregate Industires Uk Ltd
Bardon Hall
Copt Oak Road
Markfield
Leicestershire
LE67 9PJ

Agent:

Mr T Hudson
Aggregate Industries Uk Ltd
Marston House
Marston Bigot
Frome
Somerset
BA11 5DU

Description: Replacement asphalt plant including re-positioned cold-feed hoppers and increase in maximum stack height to 26.5m

Location: Blackwater Quarry, part of Bardon Vectis Ltd, St. Georges Down, Blackwater, Newport, Isle Of Wight, PO30

The Isle of Wight Council hereby give notice of the decision made on 16/05/2013 for planning permission for the development described above and in accordance with the application, plans and any other associated information submitted.

Conditions

- 1 The development hereby permitted shall be begun before the expiration of 3 years from date of this permission.

Reason: To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall be carried out in complete accordance with the details shown on the submitted plans, numbered below, except where varied by any other conditions of this permission.

972/PL1
972/PL3
972/PL4
972/PL7
972/PL8

10365357 Rev F

W.061/4 (Junction Radii)

Reason: For the avoidance of doubt and to ensure the satisfactory implementation of the development in accordance with policies DM2 (Design Quality for New Development) and DM11 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 3 Notwithstanding the details shown on drawing number 972/PL7, no development shall take place until details of the proposed scheme of additional landscaping and tree planting surrounding the development has been submitted to and agreed in writing by the Local Planning Authority. Such details shall be in accordance with the principles of drawing 972/PL7 and shall include planting plans, written specifications, schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved planting scheme shall be carried out in the first planting season following the commencement of the approved development and any trees or plants which within a period of 5 years from the commencement of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent to any variation.

Reason: To ensure the appearance of the development is satisfactory and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 4 No development including site clearance shall commence on the site until trees and other planting shown to be retained in this permission have been protected by fencing or another agreed barrier. Any fencing shall conform to the following specification:

Barriers shall consist of a scaffold framework as shown in figure 2 of BS 5837 (2005). Comprising of vertical and horizontal framework braced to resist impact, with vertical tubes spaced at a maximum of 3 m intervals. Onto this weld mesh panels are to be securely fixed. Such fencing or barrier shall be maintained throughout the course of the works on the site, during which period the following restrictions shall apply:

- (a) No placement or storage of material;
- (b) No placement or storage of fuels or chemicals.
- (c) No placement or storage of excavated soil.
- (d) No lighting of bonfires.
- (e) No physical damage to bark or branches.
- (f) No changes to natural ground drainage in the area.
- (g) No changes in ground levels.
- (h) No digging of trenches for services, drains or sewers.
- (i) Any trenches required in close proximity shall be hand dug ensuring all major roots are left undamaged.

Reason: To ensure the appearance of the development is satisfactory, to prevent damage to nearby trees and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 5 The recommendations outlined within the Ecology Assessment report (Natural Enterprise, June 2012) shall be implemented in full within the first planting season following the commencement of the development.

Reason: In the interests of the ecological value and visual amenity of the area and to comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 6 No development shall take place until details of the dimensions, means of construction and site levels for an impermeable hard standing to underlay the site of development hereby approved have been submitted to and agreed in writing by the Local Planning Authority. The information shall include details of a drainage system for the collection of surface water from the site as well as details of the proposed silt trap and hydrocarbon filters, any new drainage infrastructure and the points at which the means of drainage will connect to the existing drainage ditch that is located alongside the entrance road to the site. Details should also include surveys of the existing drainage system to ensure that existing pipework is in a suitable condition and of a specification to manage predicted flows from the development. The drainage system and hard standing shall follow the principles outlined within submitted Hydrogeological Risk Assessment dated May 2012. Development shall be carried out in accordance with the agreed details and shall be retained and maintained thereafter.

Reason: To ensure that the site is suitably drained, to protect ground water and watercourses from pollution and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 7 Any storage vessel used for the storage of oil, fuel, bitumen, flux oils and other additives/chemicals shall be placed or installed within an impermeable bund capable of holding at least 110% of the vessels capacity. All fill, draw and overflow pipes shall be properly housed within the bunded area to avoid spillage. The storage vessel, impermeable container and pipes shall be maintained for the life of the development hereby permitted.

Reason: To minimise the risk of pollution to nearby watercourses, ground water and neighbouring land and to comply with policies DM2 (Design Quality for New Development) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 8 No development shall commence until a scheme specifying the measures to minimise the emission of dust from the development hereby approved (including measures to monitor emissions) has been submitted to and approved in writing by the Local Planning Authority. Mitigating measures shall then be complied with in accordance with any time scale outlined in the submitted document. The scheme shall include measures to prevent dust emanating from access and haul roads caused by traffic entering and leaving the site and shall be implemented in full and the suppression equipment thereafter maintained in accordance with the manufacturers instructions for the duration of the permission.

Reason: To prevent dust from becoming a source of nuisance to nearby properties and uses and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 9 No development shall take place until details of the location and maximum height and footprint of storage mounds for aggregates and recycled road planing's to be used in connection with the asphalt plant hereby approved have been submitted to and agreed in writing by the Local Planning Authority. Development shall be carried out in strict accordance with the approved details.

Reason: To ensure that the appearance of the development is satisfactory and comply with the requirements of policies SP5 (Environment), DM2 (Design Quality for New Development) and DM12 (Landscape, Seascape, Biodiversity and Geodiversity) of the Island Plan Core Strategy.

- 10 No external lighting shall be installed at the site except in accordance with details which have been submitted to and agreed in writing by the Local Planning Authority. Details shall include the location, height, baffling to reduce light spillage and levels of illumination. Development shall be carried out in accordance with the agreed details and retained thereafter.

Reason: To prevent lighting from becoming a source of nuisance to nearby properties and uses, to ensure the appearance of the development is acceptable and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 11 For a period of seven years from the date of this planning permission, there shall be no more than 40 vehicle movements (two way) associated with the delivery of asphalt from the development hereby permitted between the hours of 08.00 – 09.30 Monday to Saturday. The operator shall maintain daily records for vehicle movements between these hours, which shall be made available to the Planning Authority for inspection upon request.

Reason: In the interests of highway safety, because the junction of the access road to the site and Blackwater Road would not be suitable to cater for a greater number of road movements during peak travel times and to comply with the requirements of policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 12 There shall be permitted a maximum of 40 days per calendar year when the vehicle movement restriction in condition 11 can be exceeded. This figure shall be reviewed at intervals of not less than 12 months by the Planning Authority and the Applicant and may be increased or decreased as may be agreed.

Reason: In the interests of highway safety, because the junction of the access road to the site and Blackwater Road would not be suitable to cater for a greater number of road movements during peak travel times and to comply with the requirements of policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 13 Prior to commissioning of the development hereby approved a detailed scheme based on the principles of drawing number W.061/4 dated November 2012 shall be submitted to and approved in writing by the Local Planning Authority. The works as approved shall thereafter be implemented prior to commencement of the development.

Reason: In the interests of highway safety and to comply with the requirements of policies SP7 (Travel) and DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 14 The asphalt plant hereby approved shall only be fueled with gas oil and by no other source of fuel except with the prior written approval of the Local Planning Authority.

Reason: To prevent the development from becoming a source of nuisance or pollution to nearby properties and uses and to comply with the requirements of policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 15 The site outlined in red shall be used for the production of asphalt and storage of materials associated with that process and for no other purpose (including any other purpose in Class B1, B2 or B8 of the Schedule of the Town and Country Planning (Use Classes) Order 1987, or in any provision equivalent to that Class in any statutory instrument revoking and re-enacting that Order with or without modification).

Reason: To prevent any alternative use being made of the premises which could be a source of nuisance or disturbance to occupants of neighbouring properties and to comply with DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

- 16 The existing asphalt plant and all associated equipment at the site shall be removed within six months of the date of the asphalt plant hereby approved becoming operational.

Reason: In the interests of the visual amenities of the surrounding area, to prevent an unacceptable level of use at the site and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 17 In the event of the plant becoming permanently disused or disused for a period exceeding one year, all equipment including the concrete plinth shall be removed and the site restored in accordance with a scheme to be submitted to and approved in writing by the Local Planning Authority within six months of the date of this permission. The scheme shall include details of:

- (a) The sequence of phasing of (backfilling and) restoration
- (b) The resspreading over the floor of the area of subsoil and topsoil in order that the site has an acceptable visual appearance
- (c) The ripping of any compacted layers of final cover to ensure adequate drainage and aeration; such ripping should normally take place before placing of the topsoil;
- (d) The machinery to be used in soil resspreading operations;
- (e) Drainage of the restored land including the formation of suitably graded contours to promote natural drainage and the installation of artificial drainage;
- (f) The reinstatement of the plant site and access roads by clearing plant, buildings, machinery and concrete or brickwork, deep cultivation in both directions to remove rocks and other obstructions, replacing of subsoil and then topsoil;
- (g) Grass seeding of restored areas with a suitable herbage mixture;
- (h) A timetable for implementation and after care;

and upon approval such scheme shall be implemented as approved unless a variation has been agreed in writing by the Local Planning Authority.

Reason: To ensure that the site is restored in an orderly manner to a condition capable of beneficial after use and in the interests of the amenities of local residents and to comply with policies SP5 (Environment), DM2 (Design Quality for New Development), DM12 (Landscape, Seascape, Biodiversity and Geodiversity) and DM14 (Flood Risk) of the Island Plan Core Strategy.

- 18 Prior the development hereby approved commencing, the developer shall notify the Local Planning Authority of the intended date of commencement for the development. The developer shall also notify the Local Planning Authority of the date that the plant becomes operational.

Reason: To allow the Local Planning Authority to monitor the commencement of the development, to ensure compliance with conditions 17 and 18 of this permission and to comply with policy DM2 (Design Quality for New Development) of the Island Plan Core Strategy.

Important

Reasons for Approval

In reaching the decision to grant planning permission account has been taken of national planning policy guidance (NPPF) and the policies contained within the Island Plan Core Strategy.

The principle reasons for granting planning permission are:

While the proposed replacement asphalt plant would be located in a rural area, it would be located within an established quarry that currently comprises an existing asphalt plant of a similar size and scale. The site is located centrally and given the requirement for infrastructure to support the development planned within the Island Plan Core Strategy and the Highways PFI, it is considered that the proposal is in compliance with policy SP1 (Spatial Strategy) of the Core Strategy.

The Council is satisfied that the proposed replacement asphalt plant would not harm the character and appearance of the surrounding countryside or appear intrusive from public vantage points within close proximity or at distance from the site.

The Council is also of the opinion that the proposal would not harm the amenities of nearby properties by reason of noise or light pollution, particularly given the presence of an existing plant at the site. In addition, it is considered that the proposed replacement asphalt plant would not present harm to human health as a result of odour or chemical processes and that risks could be managed on an ongoing basis through the relevant permits issued by the Council.

The impact of the development upon ecological interests would be minor and the proposed biodiversity enhancements outlined within the applicant's ecological survey would allow suitable habitats to establish at the site and therefore, improve biodiversity. Furthermore, the proposal would not result in the loss of any high amenity trees and would provide a means to require landscaping enhancements that would further screen the site.

The Council is of the opinion that through the imposition of highway conditions and works to the eastern radi of the site access, the impact of the development upon highway safety would be acceptable.

The proposed improvements to site drainage would assist in reducing the risk of contamination to water courses as a result of rain water run-off or potential spillage from storage tanks.

As a result, the proposed development would accord with the principles of policies DM2 (Design Quality for New Development), DM11 (Historic and Built Environment), DM12 (Landscape, Seascape, Biodiversity and Geodiversity), DM14 (Flood Risk) SP5 (Environment) and SP7 (Travel) of the Island Plan Core Strategy and the NPPF.

Having regard to the above and having taken into account all relevant material considerations, it is concluded that the proposal is in full conformity with the provisions of the development plan.

Statement of Proactive Working

In accordance with paragraphs 186 and 187 of the NPPF, the Isle of Wight Council take a positive and approach to development proposals focused on solutions to secure sustainable developments that improve the economic, social and environmental conditions of the area in the following way:

- The IWC offers a pre application advice service
- Updates applicants/agents of any issues that may arise in the processing of their application and suggest solutions where possible

In this instance the Council has liaised with the applicants to resolve issues relating to highway safety.

Informatives

In the event that the volume of surface water discharged from the site into the external ditch increases or the design of the discharge point requires alteration , the applicant should make contact in advance with the Council as Land Drainage Authority for the relevant Ordinary Water Course Land Drainage Consent to discharge into the nearby Ordinary Watercourse (Merstone Stream) to confirm if a formal application will be necessary. Relevant forms and information can be obtained by writing to the following address:

Ordinary Watercourse Regulation

Planning Services, IW Council

Seaclose Offices

Fairlee Road

Newport

Isle of Wight

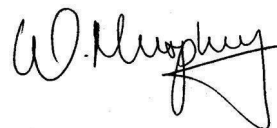
PO30 2QS

The applicant is advised to contact the Environment Agency to gain the relevant waste permit for the storage and treatment of waste at the site (recycled road planing's). Information in respect of Environmental Permitting Guidance can be found on the following website - <http://environment-agency.gov.uk>

You are advised to notify the Local Planning Authority prior to implementation of this consent in order that normal checks may be carried out by the Enforcement Officer.

Attention is drawn to the attached notes

- (a) This notice only relates to the decision of the Council under the Town & Country Planning Acts and does not relate to any application which may be required under the Building Regulations or any other Act, Regulation, Byelaw or Order.
- (b) Attention is drawn to the provisions of Section 32 of the Isle of Wight Act 1980 which requires adequate provision for access for the fire brigade to premises which are the subject of this approval and to adjoining property.
- (c) You are hereby advised of the need to make an application to Highways and Transport, County Hall, High Street, Newport, Isle of Wight, PO30 1UD, on (01983) 823777 before making any excavation in the footway or verge, in connection with any planning approval.
- (d) Please note that the development hereby permitted must be carried out strictly in accordance with the plans attached, and any variation from the approved plans must be agreed with Local Planning Authority before the works are undertaken.



Date: 16/05/2013

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**Authorised on behalf of
Isle of Wight Council
Council Offices
Fairlee Road
Newport
Isle of Wight
PO30 2QS**